HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.20923 of 1997

Date: April 16, 2007

Between:
Smt.M.Krishna Kumari,
Wife of M.Sambasiva Rao,
aged 29 years, resident of
Mysigandi, Amanagal Mandal,
Mahaboobnagar District.

… Petitioner.

And

1. The Deputy Commissioner of Endowments,
   Hyderabad and 2 others.

… Respondents.

* * *

ORDER:

This writ petition is filed challenging the termination of services of the petitioner vide Lr.No.2/M.S.D/97, dated 01.8.1997 of the Executive Officer, Sri Mysamma Devatha Devasthanam, Mysigandi, Mahaboobnagar District.

2. It is the case of the petitioner that by virtue of a resolution passed by the Trust Board dated 15.5.1995, she was appointed as Temple Clerk of the second respondent institution i.e., Sri Mysamma Devatha Devasthanam, Mysigandi village. She is working as such continuously without any blemish to the satisfaction of the institutional authorities. While that being so, a show cause notice dated 24.6.1997 was issued to the petitioner by the second respondent-Executive Officer informing that as to why her services should not be terminated with effect from 26.7.1997, as she was appointed after 25.11.1993, in

pursuance of the letters dated 12.6.1997 and 20.6.1997 issued by the Deputy Commissioner of Endowments (first respondent). These proceedings of the Deputy Commissioner refer to G.O.Ms.No.212, Finance & Planning (FW. PC. III) Department, dated 25.11.1993.

3. Heard both sides.

4. According to the petitioner neither the G.O.Ms.No.212 is applicable to the case of the Endowments nor any appointments made after the issuance of G.O.Ms.No.212 can be called as illegal. It is not the case of the respondents that there was no vacancy available in the temple and she was appointed without there being any vacancy. It is their case that the very appointment of the petitioner being after issuance of G.O.Ms.No.212, and the same is not permissible under law. However, this is a case where the respondents have issued one-month notice and terminated the services of the petitioner. Further, it is interesting to notice that there was interim suspension of the impugned proceedings. It appears the petitioner for the present is not working in the second respondent institution and the learned counsel for the petitioner also states that there are no instructions from the petitioner.

5. Under those circumstances, the writ petition is dismissed as infructuous. No costs.

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(C.V.RAMULU, J.)

Date: April 16, 2007.
BSB